THE HON'BLE SRI JUSTICE B. PRAKASH RAO

AND

HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No. 9201 of 2006

5th June 2006

Between:

N. Bhaskar Rao, S/o late Venkatramu,

Aged about 51 years, Store Keeper,

O/o Manager, North Yard,

Naval Dockyard, Visakhapatnam

.. Petitioner.

And

The Union of India, rep. by its Secretary,

Ministry of Defence, New Delhi and two others.

.. Respondents.

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AND

HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No. 9201 of 2006

ORDER: (Per Hon'ble Sri Justice B. Prakash Rao)

Heard both the sides and at their request, the Writ Petition is taken up for disposal at the admission stage.

The petitioner, who has been working with the respondents-Department as Store Keeper, filed this Writ Petition, *inter alia,* seeking for Certiorari assailing the order dated 03.03.2006 passed in O.A.No.368 of 2005 on the file of the Central Administrative Tribunal, Hyderabad Bench rejecting the application filed under Section 14 of the Administrative Tribunal Act, 1985, *inter alia,* assailing the proceedings dated 25.02.2005 issued by the 3rd respondent herein where under the third respondent has framed charges against the petitioner in respect of the certificate furnished by him as being not valid.

Though several contentions urged on behalf of the petitioner both at the level of the Tribunal and also in this Court, the fact remains that the enquiry is at the stage of issuing the charge sheet and no orders have been passed as such. Though, the petitioner submits that the respondents are likely to have a say on the correctness of the charge to which they are not entitled in view of the provisions of the A.P. (S.C., S.T. & B.C) Regulation of Issue of Community Certificate Rules, 1997 and the rules made there under. We are not inclined to accept to the aforesaid contention. It is

quite pre-mature on the part of the petitioner to have any such apprehension that the respondents are going to pass any orders as such. However, it is always open to the petitioner to assail any orders passed in regard to the said certificate without jurisdiction as contemplated. Hence, we do not find any merits in this Writ Petition. Accordingly, the Writ Petition is dismissed. No costs. The petitioner is at liberty to file fresh writ petition in the event of any orders being passed.

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B. PRAKASH RAO, J

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RAMESH RANGANATHAN, J

5th June 2006.

Chvn.